

Two convicted of running illegal school in London

Nadia and Arshad Ali were convicted at Westminster Magistrates' Court today (12 September) of conducting an unregistered independent school under section 96 of the Education and Skills Act 2008.

Sentencing of Ms Ali is due to take place on Monday. Mr Ali and the company behind the school were fined and order to pay a victim surcharge.

In June 2018, inspectors from Ofsted's unregistered schools taskforce visited Ambassadors High School in Streatham, south London, and warned the head teacher, Nadia Ali, that they believed the setting was operating illegally. However, when inspectors returned a month later they found the school was still open. A second warning notice was issued.

In September 2018, Ambassadors High School applied to register as an independent school, with Nadia Ali's father, Arshad Ali, named as proprietor. Ofsted carried out [a pre-registration inspection in February 2019](#), which identified serious safeguarding issues and judged that the school would not meet the Independent School Standards. However, the school remained open after failing its pre-registration inspection and continued to operate illegally.

The school charged fees of up to £4,500 per pupil, per year, but its record keeping on admissions and attendance was found to be poor. At the pre-registration inspection, inspectors were told there were 45 children of compulsory school age on the roll. Inspectors observed different numbers of children at each inspection and were given different accounts of how many pupils were on roll.

The school's leaders had not conducted even the most basic suitability checks on teachers working at the school. Inspectors also found that the headteacher had no plan or strategy to promote fundamental British values, or encourage respect for other people.

Despite Ofsted inspecting almost 260 suspected unregistered schools since January 2016, and issuing warning notices to 71 settings, this is only the second time a case has been brought for prosecution. This is because Ofsted's powers to investigate unregistered schools are severely limited, making prosecutions less likely to succeed.

HM Chief Inspector Amanda Spielman said:

Ofsted is clear that unregistered schools deny children a proper education and put their safety and wellbeing at risk. I hope today's judgment sends a clear message to these schools that Ofsted will not waver in our efforts to bring them to justice. We will continue to expose these places, and make sure they either close or

become properly registered and subject to regular inspection. Only then can we make sure all children are safe from harm and receiving a decent education that prepares them for life in modern Britain.

While I welcome today's verdict, I am concerned that this case is just the tip of the iceberg. As I have said several times over the last few years, Ofsted urgently needs stronger investigatory powers, allowing us to seize evidence and interview suspects. And we need the government to tighten the legal definition of a school. I urge them again to do so at the earliest possible opportunity.

1. Under section 96 of the Education and Skills Act 2008 (the 2008 Act), in England, a person must not conduct an independent educational institution unless it is registered. A person who conducts an unregistered independent school is guilty of a criminal offence.
2. Under section 97 of the Act, if Ofsted has reasonable cause to believe that an offence under section 96 is being committed on any premises, inspectors may enter the premises and take copies of any records or other documents that may be required for the purposes of proceedings in relation to such an offence.
3. Under section 463 of The Education Act 1996, an 'independent school' is defined as a school that is not maintained by a local authority or is not a non-maintained special school and at which full-time education is provided (a) for five or more pupils of compulsory school age or (b) for at least one pupil who is looked after by a local authority (within the meaning of section 22 of the Children Act 1989) or has a statement of special educational needs or an education, health and care plan.
4. The offence is a summary offence and currently carries a maximum penalty of 6 months' imprisonment, an unlimited fine or both.
5. Between 1 January 2016 and 31 December 2018, Ofsted identified 521 possible settings that may be unregistered schools: 259 settings have been inspected and 71 have been issued with warning notices. From these, 15 settings have since closed, while 39 have changed the way they operate in order to comply with the law, and 9 have registered as independent schools. The remaining cases are still under active investigation, while more settings continue to be identified.